

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

RICHARD S. JONES, SR.,

Plaintiff,

v.

HEADWATERS CM SERVICES, LLC,
and CHRIS BASSO

Defendant.

No.

16L 1427

FILED

OCT 11 2016

CLERK OF CIRCUIT COURT #34
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

COMPLAINT

(Count I)

(Headwaters CM Services, LLC)

Plaintiff, Richard S. Jones, Sr., by and through his attorneys, Nelson & Nelson, Attorneys at Law, P.C., for his Complaint against the Defendant, Headwaters CM Services, LLC, states as follows:

1. That Plaintiff is a resident of the City of Maryville, County of Madison, and State of Illinois.
2. That Headwaters CM Services, LLC is a foreign corporation doing business in various counties throughout the State of Illinois including Madison County.
3. That on March 06, 2016, Plaintiff was employed by Defendant at its location at the Dynegy Power Plant in East Alton, Illinois performing maintenance on a belt feed when his hand was caught in a pinch point, severely and permanently injuring it.
4. That Plaintiff promptly reported his injuries and immediately sought medical care.
5. Plaintiff exercised his rights under the Illinois Workers' Compensation Act, 820 ILCS 305 in seeking and incurring medical expenses at the Defendant employer's expense and claiming temporary total disability payments from the Defendant employer to

replace wages he lost as a result of the disabling injury.

6. That the Defendant, Headwaters CM Services, LLC. employed Chris Basso as a manager and supervisor of the Plaintiff.

7. That on or about May 05, 2016 (Thursday), Headwaters CM Services, LLC, intentionally terminated the Plaintiff's employment, by and through its supervisor, Chris Basso.

8. Said termination was in retaliation for the Plaintiff's seeking workers' compensation benefits in violation of clearly mandated public policies in the State of Illinois and the Illinois Workers' Compensation Act, 820 ILCS 305/4(h).

9. By reason of the wrongful termination of the Plaintiff, the Plaintiff has lost substantial wages and benefits, sustained emotional distress, and loss of reputation.

WHEREFORE, Plaintiff, Richard S. Jones, Sr., prays for judgment against the Defendant, HEADWATERS CM SERVICES, LLC in an amount reasonable and proper then in their existing and sufficient to confirm jurisdiction upon the major civil division of this Court.

(Count II)
(Chris Basso)

1. – 9. For paragraphs 1 through 9 of Count II the Plaintiff repeats and re-alleges the allegations of paragraphs 1 through 9 of Count I as though fully set out herein.

10. That at all times mentioned herein the Defendant, Chris Basso, was an agent, employee, supervisor and alter ego of the Defendant, Headwaters CM Services, LLC and as such was directly authorized by the Defendant Headwaters CM Services, LLC to terminate the employment of its employees including, but not limited to, the Plaintiff, Richard S. Jones, Sr.

11. That acting as the agent, supervisor and alter ego of the Defendant,

Headwaters CM Services, LLC, the Defendant, Chris Basso personally intentionally terminated the Plaintiff's employment.

12. That the Defendant, Chris Basso is and at all times relevant hereto was a resident of the State of Illinois.

WHEREFORE, Plaintiff, Richard S. Jones, Sr., prays for judgment against the Defendant, Chris Basso, in an amount reasonable and proper then in their existing and sufficiently confirm jurisdiction upon the major civil division of this Court.

Respectfully submitted,

NELSON & NELSON
ATTORNEYS AT LAW, P.C.

By: 

Robert C. Nelson #2033690
420 North High Street
Post Office Box Y
Belleville, Illinois 62222
618/277-4000

ATTORNEYS FOR PLAINTIFF

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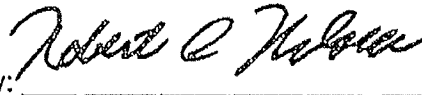
Defendant.

AFFIDAVIT

This affidavit is made pursuant to Supreme Court Rule 222 (b). Under the penalties of perjury as provided by Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the money damages sought by plaintiff herein exceed \$50,000.00.

Respectfully submitted,

NELSON & NELSON
ATTORNEYS AT LAW, P.C.

By: 

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420 North High Street
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Belleville, Illinois 62222
618/277-4000

ATTORNEYS FOR PLAINTIFF

Subscribed and sworn to this 5th day of October, 2016.


NOTARY PUBLIC

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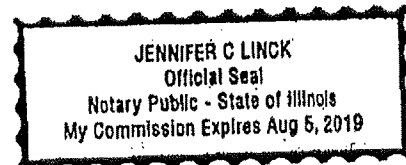


Exhibit A